

The York County Board of Commissioners met according to law on October 6, 2009 at 9:39 a.m. as per notice in the York News Times on October 1, 2009, with Vice Chairman, Eugene Bergen presiding, with Steve Neujahr, Kurt Bulgrin and Patricia Bredenkamp. Also present was Melanie Wilkinson, correspondent for the York News Times. Commissioner Augustus M. Brown Jr. was absent.

The agenda of the meeting was posted on the bulletin board in the County Clerk's office and a copy of the agenda was made available to each Commissioner.

Bergen announced that the Open Meetings Law was posted outside the door and copies were available in the back of the board room. Proof of publication was also available.

The Board met with Elected Officials and Department heads prior to the regular meeting. No action was taken.

Moved by Neujahr, seconded by Bredenkamp to approve the minutes of the York County Board of Commissioners proceedings of September 22, 2009; roll call: yeas, Neujahr, Bredenkamp and Bulgrin; nays, none; Bergen abstained; Brown absent; motion carried.

Moved by Bulgrin, seconded by Neujahr to approve the agenda as presented; roll call: yeas, Bulgrin, Neujahr, Bredenkamp and Bergen; nays, none; Brown absent; motion carried.

The Board reviewed the General Assistance cases:

Moved by Bredenkamp, seconded by Neujahr to approve case #09-12 for medication payable to Pamida Pharmacy in the amount of \$43.06; roll call: yeas, Bredenkamp, Neujahr, Bulgrin and Bergen; nays, none; Brown absent; motion carried.

Moved by Bulgrin, seconded by Bredenkamp to approve case #09-32 for rent payable to York Housing Authority in the amount of \$315.00; roll call: yeas, Bulgrin, Bredenkamp, Neujahr and Bergen; nays, none; Brown absent; motion carried.

Moved by Bredenkamp, seconded by Neujahr to approve case #09-33 for utilities payable to NPPD in the amount of \$380.00; roll call: yeas, Bredenkamp, Neujahr, Bulgrin and Bergen; nays, none; Brown absent; motion carried.

There were no interfund transfers to be brought before the Board.

The Board reviewed the Special Exception request made by Werner Construction which was addressed in the September 8, 2009 board meeting. At that meeting, the original motion was amended and roll call was taken on the amendment, however, roll call was not taken on the amended motion, therefore roll call is as follows:

Roll call for the amended motion: yeas, Bulgrin, Bredenkamp, Neujahr and Bergen; nays, none; Brown absent; motion carried.

A claim was submitted by the Lorraine Levitt Estate requesting a refund of inheritance taxes which were overpaid.

Moved by Bredenkamp, seconded by Neujahr to approve the claim for refund of overpayment on the Levitt estate in the amount of \$8,415.83; roll call: yeas, Bredenkamp, Neujahr, Bulgrin and Bergen; nays, none; Brown absent; motion carried.

R.J. Baker, representative of the York County Development Corporation, came before the Board regarding the Stimulus monies which York County was awarded. These stimulus bonds are for economic development and infrastructure. The County must decide by October 15th if they are going to accept or decline.

Moved by Neujahr, seconded by Bulgrin to implement the stimulus program for the whole amount; (during discussion, Neujahr rescinded his motion)

Moved by Neujahr, seconded by Bulgrin to adopt Resolution #09-73 and send it to the Department of Economic Development which states that York County would implement the stimulus program for the whole amount of \$19,581,000; roll call: yeas, Neujahr, Bulgrin, Bredenkamp and Bergen; nays, none; Brown absent; motion carried.

RESOLUTION #09-73

WHEREAS, the Board was advised by the State of Nebraska Department of Economic Development that York County was the recipient of Recovery Zone Bonds in the amount of \$19,581,000. and

WHEREAS, through the recently-enacted American Recovery and Reinvestment Act of 2009 said use of bonds is for programs to encourage economic development by way of: (A) Recovery Zone Economic Development Bonds – used primarily to finance public infrastructure projects; and (B) Recovery Zone Facility Bonds – used primarily to finance eligible private business activity. and

WHEREAS, the Board has determined that said bonds would be of benefit to the county for various projects both for private business activity and public infrastructure; and

WHEREAS, the City of Henderson previously came before the Board concerning the use of said Economic Development Bonds in the amount of \$700,000. for an Industrial Park Sewer System (infrastructure project) within the City; and

WHEREAS, the County finds that it would be of value to request said bonds in their entirety for use by the county or its entities;

NOW, THEREFORE BE IT RESOLVED, that the Chairman of the Board be directed to sign the Notice of Intent to Issue Recovery Zone Bonds in the total amount of \$19,581,000. for use within the County of York.

Dated this 6th day of October, 2009.

Three (3) informal bids were obtained for replacement of the lawn mower which is used around the courthouse. Included in the bid specs was that it be a 60” deck, trade-in of the old mower (LT160) and a brush which would be used to remove snow on the sidewalks surrounding the Courthouse.

Bids were received from Northern Lawn & Underground of York in the amount of \$14,150.00. It was noted that they do not accept trade-ins and neither the mowing deck or the broom attachment were 60 inches wide.

John Deere Implement of York for a X700 ULT Turf 2WS for \$8,000.00; a 60 heavy duty broom for \$4,300.00 and a trade-in allowance of \$1,300.00 for the old mower giving a total price of \$11,000.00

York Farm Supply LLC of York submitted a bid for a Gravely mower in the amount of \$11,800.00 with a trade-in value of \$2,000.00 for our old mower for a total of \$9,800.

Fred Weisheit, head custodian for the county, recommend the John Deere as it has the 60” blade and the warranty is better. Also, it allows for a trade-in of our old mower.

Moved by Bulgrin, seconded by Bredenkamp that under advisement by Fred to purchase the mower/sweeper from John Deere of York; roll call: yeas, Bulgrin, Bredenkamp, Neujahr and Bergen; nays, none; Brown absent; motion carried.

The State of Nebraska Department of Economic Development is implementing the Nebraska Affordable Housing Trust Fund Program for Down Payment Assistance /Rehabilitation. A contract between the County of York and the Nebraska Department of Economic Development has been reviewed.

Moved by Bulgrin, seconded by Neujahr to authorize the chairman to sign the contract between the County of York and the Nebraska Department of Economic Development; roll call: yeas, Bulgrin, Neujahr, Bredenkamp and Bergen; nays, none; Brown absent; motion carried.

Olsson Associates of Lincoln was contacted to give a quote for engineering design services related to the courthouse generator electrical distribution project (this is the backup generator for the courthouse). Their estimate for the design services would not exceed \$7,900 and their construction phase services would not exceed \$6,490. They also provided an estimated additional cost of \$43,000 for the electrical distribution phase.

Moved by Neujahr, seconded by Bulgrin to table this to get more information in order to budget for it in the next fiscal year; roll call: yeas, Neujahr, Bulgrin, Bredenkamp and Bergen; nays, none; Brown absent; motion carried.

Eric Williams came before the Board to discuss his resignation as Public Defender. The Board thanked him for his service. He stated that he would be willing to aid the county in their transition.

Moved by Bulgrin, seconded by Bredenkamp to accept the letter of resignation of the York County Public Defender; roll call: yeas, Bulgrin, Bredenkamp, Neujahr and Bergen; nays, none; Brown absent; motion carried.

Bids were opened at 11:00 a.m. as advertised for a used Vibratory Padfoot Compactor. A single bid was received from Nebraska Machinery Company of Lincoln for a 2006 Cat CP563E used packer in the amount of \$71,500.00. serial #CNT01293.

Moved by Neujahr, seconded by Bulgrin to accept the bid with the recommendation of the Highway Superintendent for a used packer from Nebraska Machinery Company in the amount of \$71,500.00; roll call: yeas, Neujahr, Bulgrin, Bredenkamp and Bergen; nays, none; Brown absent; motion carried.

In a prior meeting, the Board directed Don Robb, Highway Superintendent, to conduct a road study and submit his recommendation for the intersection located between Road 9 and Road Q. Following are his findings:

Finding Statement of Intersection Road 9 & road Q

Leroy Section 23 SE ¼ ; Section 24 SW ¼; Section 25 NW ¼ ; and Section 26 NE ¼ 10N-R2W

The findings from the York County Highway Department after looking at the intersection for sight distance and visibility; the (2) two Yield signs are placed on the correct intersection corners for traffic control as Road Q is a Collector Route carrying the general flow of traffic.

In my opinion to gain better visibility and to increase sight distance we should raise the intersection and try to back slope the surrounding banks. I would recommend that the County place the intersection on next year’s One & Six Year Program.

The Board agreed with the recommendation.

The Certification to the Board of Public Roads Classification and Standards was reviewed by the Board. This is a compilation of Road and Bridge Contract reports and Road –Street Highway Budget & Expenditure Reports. This report must be submitted in order to receive federal funds for road projects.

Moved by Bulgrin, seconded by Bredenkamp to authorize the Chairman of the York County Board of Commissioners to sign the certification form; roll call: yeas, Bulgrin, Bredenkamp, Neujahr and Bergen; nays, none; Brown absent; motion

carried.

A change order received from WAW Construction (Contractor) and Speece Lewis Engineers was reviewed. This is a box culvert project for FEMA Bridge I. There was an overage in the amount of \$954.04 for additional items.

Moved by Neujahr, seconded by Bulgrin to approve the change order and make the final payment on said bridge in the amount of \$28,865.31; roll call: yeas, Neujahr, Bulgrin, Bredenkamp and Bergen; nays, none; Brown absent; motion carried.

Salary and Vendor claims were reviewed.

Moved by Bulgrin, seconded by Bredenkamp to approve payroll in the amount of \$113,014.22 and vendor claims and to approve the holiday pay for the employee that the Board denied pay to at the September 22, 2009 board meeting; roll call: yeas, Bulgrin, Bredenkamp and Bergen; nays, Neujahr; Brown absent; motion carried.

<u>Fund</u>	<u>Name</u>	<u>Description</u>	<u>Total</u>
Rd	Ace Irrigation and Mfg	Culverts	2,446.64
Gen	Adams County District Court	Court Costs	285.00
Gen	Katie Allbee	Court Costs	20.00
Gen, Rd	Alltel	Telephone Service	165.70
Visitors Prom	Avery Outdoor	Billboard Rental	240.00
Rd	Baum Hydraulics Corp	Repair Parts	46.86
Gen, Rd	Black Hills Energy	Heating Fuels	214.29
Gen	Blue Knight Security, Inc.	Security Contract	894.00
Inher Tax	Blue Valley Community Action	Budget 09-10	8,829.00
Gen	Kurt Bulgrin	Mileage	86.90
Gen	David Buller	Court Costs	20.00
Gen	Haley Buller	Court Costs	20.00
Gen	Butler Co Sheriff	Court Costs	65.88
Aging	Lori Byers	Reimbursement	119.58
Rd	Car Parts Inc.	Shop Supplies	82.14
Visitors Prom	Chances R Restaurant and Lounge	Meals	49.77
Gen, Rd, Inher Tax	City of York	Water/Budget 09-10	61,292.22
Ambulance	City of York-Ambulance	Quarterly Billing	47,250.00
Gen, Rd	Constellation NewEnergy Gas Div	Heating Fuels	280.10
Gen	Byron Covey	Mileage	66.00
Rd	Cross-Dillon Tire	Tire Repair	463.80
Gen	Dell Marketing L.P. Donna's Computer Sales & Service	Office Supplies Computer Expense	104.99 220.00
Gen, Rd, Visitors Prom	Eakes Office Plus	Office Supplies	1,027.66
Gen	Employee Data Forms of Mo LLC	Office Supplies	26.25
Rd	Farmers Cooperative	Tire Repair	55.00
Rd	Fehlhafer's Inc.	Repair Parts	25.00
Aging	Lillian Few	Mileage	21.45
Gen	Fillman Law Offices	Attorney Fees	397.50
Rd	Filter Care	Repair Parts	178.70
Gen	First Concord Benefits Group, LLC	Insurance	2,393.75
Gen	Stephen Fisher	Mileage	66.00
Visitors Prom	Global Tech	Office Equip	159.80
Gen	Cynthia D Heine	Mileage	103.20
Gen	Hometown Leasing	Equip Rental	639.33
Inher Tax	Hope Crisis Center	Budget 09-10	4,563.00
Gen	Hy-Tec Auto Service	Vehicle Maintenance	867.51
Rd	Hydraulic Equipment Service	Shop Tools	1,363.60
Gen	Jackson Services Inc.	Building Maintenance	85.00
Gen	David J. Jaskierny Jr., M.D.	Coroner Costs	900.00
Gen, Rd	JEO Consulting Group, Inc.	Engineering	3,803.75
Rd	Johnson Sand & Gravel Co, Inc.	Gravel	850.00
Visitors Prom	Kilgore Memorial Library	Grant	865.48
Gen	Kopchos Sanitation, Inc.	Garbage	140.00
Visitors Prom	The Lamar Companies	Billboard Rental	460.00
Gen	Lancaster County Sheriff	Court Costs	25.74
Gen	Lawson Products, Inc.	Janitorial Supplies	516.03
Gen	Loup Valley Lighting, Inc.	Supplies	290.77
Visitors Prom	Magic Media, Inc.	Billboard Rental	435.00
Cnty Bldg	Midwest Auto Fire Sprinkler Co.	Building Maintenance	1,582.92
Rd	Miller Seed & Supply Co., Inc.	Supplies	11.50
Gen	Mogul's Transmission, Inc.	Vehicle Maintenance	568.77
Gen	Momar, Inc.	Janitorial Supplies	466.59
Gen	Ne DOL/Boiler Inspection Program	Building Maintenance	108.00

Visitors Prom	Ne Life	Subscription	38.00
Drug Testing	Ne Public Health Environmental	Drug & Alcohol Test	168.00
Gen, Rd	Lab	Electricity	4,851.40
Gen	Ne Public Power District	Mileage	77.00
Rd	Steve Neujahr	Gravel	2,582.80
Rd	Nichols Construction Co.	Equip Rental	4,466.66
Gen	NMC Exchange LLC	Court Costs	77.20
Gen	Amber C. Nore	Office Supplies	78.97
Gen	North Office Supply	Building Maintenance	354.53
Gen	O'Keefe Elevator Company, Inc.	Repair Parts	232.94
Rd	O'Reilly Auto Parts	Office Equip	169.92
Rd	OfficeNet	Uniform Allowance	829.89
Gen	OMB Express Police Supply	Gravel	14,920.35
Rd	Overland Sand & Gravel Co	Medical-Prisoners	65.86
Gen	Pamida Stores Operation Co LLC		
Gen, Rd,			
Visitors Prom	Perennial Public Power District	Electricity	308.91
Gen	C. Jo Petersen	Attorney Fees	315.00
	Pieper Plumbing & Well Drilling		
Gen	Inc.	Supplies	6.40
Gen	Platte County Court	Office Supplies	13.85
Rd	Power Plan	Repair Parts	273.26
Rd	Precision Industries	Shop Supplies	6.36
Visitors Prom	R.S. Enterprises	Billboard Rental	310.00
Rd	Ramada Inn-Kearney	Lodging	280.00
Rd	Rasmussen Auto Parts	Shop Supplies	14.99
	Rasmussen Mechanical Services,		
Cnty Bldg	Inc.	Building Maintenance	1,499.29
Rd	Max Rea	Repair Parts	100.00
State Inst	Region V Systems	EPC Billing	440.00
Rd	Kermit Renquist	Uniform Allowance	50.00
Gen	Richardson County Sheriff	Court Costs	6.00
Rd	Don Robb	Meals	83.97
Cnty Bldg	Robinson Enterprises II	Building Maintenance	143.00
Rd	Sahling Kenworth Inc.	Repair Parts	27.60
Rd	Sapp Bros. Petroleum, Inc.	Fuel	32.31
Visitors Prom	Bob Sautter	Mileage	196.90
Rd	Snap-On Tools	Shop Supplies	17.40
Visitors Imprv	Snitily Carr	Advertising	6,500.00
Gen	State of Ne Das Central Finance	Equip Rental	448.00
Rd	State of Ne Das Materiel Surplus	Tools/Equipment	4,000.00
Rd	State of Ne Dept of Revenue	Fuel Tax	2,321.00
Gen	Bruce Stephens	Attorney Fees	2,257.50
Gen	Terra Scan Inc.	Data Proc Costs	4,850.00
Inher Tax	Kelly M Thomas	Refund	8,415.83
Rd	Tietmeyer Machine	Repair Parts	19.54
Sheriff	Time Warner Cable	Subscription	66.71
Gen	Russell D. Van Lengen	Court Costs	49.50
Gen	Janet H Veleba	Mileage	184.80
Rd	Village of Bradshaw	Electricity	9.60
Rd	W.A.W. Construction, Inc.	FEMA Bridge	28,865.31
	Waco Community Betterment		
Visitors Prom	Org	Grant	1,000.00
Gen	Walgreens	Appraisal Supplies	123.29
Visitors Prom	Web Tech Solutions	Website Maintenance	15.00
Rd	Weldon Industries, Inc.	Repair Parts	56.48
Gen	Windstream Communications	Telephone Service	266.06
Visitors Prom	York Chamber of Commerce	Meals	22.00
Gen	York County Court	Court Costs	45.50
Visitors Prom	York County Development Corp	Office Expenditures	4,928.54
Gen	York County Sheriff	Reimbursement	245.00
Gen	York Electronics	Appraisal Supplies	13.49
Gen	York Medical Clinic PC	Medical-Prisoners	18.00
Gen,			
Visitors Prom	York News-Times	Publication	190.42
Gen	York Printing Company, LLC	Office Supplies	245.42
Visitors Prom	York Pumas Soccer Club	Grant	1,700.00
Gen,			
Visitors Prom	York Wholesale Company	Supplies	877.10
Gen	Zee Medical Service	Medical-Prisoners	51.25

Committee reports were given.

Sharilyn Ramsey, Clerk of the District Court and Cynthia D. Heine, York County Clerk submitted their September fee reports in the respective amounts of \$2,857.64 and \$8,957.93. The reports were reviewed and placed on file.

Brenda Scavo, County Treasurer submitted the September 30, 2009 Fund Balances as follows:

General	\$1,300,481.93
Road	\$827,030.75
Juvenile Diversion	\$4,839.18
Data Processing	\$6,271.26
Unemployment Security	\$8,554.39
Area on Aging	\$39,515.27
Relief & Medical	\$31,013.14
State Institutions	\$5,763.62
Veterans Aid	\$-0-
Busy Wheels	\$7,121.37
STOP	\$9,961.06
Drug Testing	\$5,406.84
Debt Service	\$188,004.98
Inheritance Tax	\$1,571,779.87
Emergency Mgmt	\$45,777.27
Law Enforcement Op	\$19,893.66
Courthouse Bldg	\$5,503.68
Handicapp Access.	\$8,189.37
Noxious Weed	\$19,738.23
Ambulance	\$99,481.96
911 Emergency	\$47,597.73
CDBG	\$7.40
Visitors Impr	\$148,398.75
Visitors Prom	\$43,128.69

The Vice Chairman declared the meeting adjourned at 12:12 p.m. The next regular meeting will be October 20, 2009 at 8:30 a.m. with Elected Officials/Department Heads; 9:20 a.m. with the General Assistance Administrator and 9:35 a.m. in the County Commissioners Room, lower level of the Courthouse for the regularly scheduled meeting.

Augustus M. Brown, Jr., Chairman
York County Commissioners

Cynthia D. Heine, County Clerk
York, Nebraska